

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

**IN RE: DIGITEK
PRODUCTS LIABILITY LITIGATION**

MDL NO. 2:08-md-1968

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER #80
(Scheduling Order for Recently Filed Cases)

Three Digitek related cases have been directly filed in MDL 1968 which require discovery beyond the deadlines established in previous PTOs. Those cases are: 2-11-cv-00274, Laibly v. Actavis Totowa, LLC et al.; 2-11-cv-00405, Vigeant v. Actavis Totowa, LLC; and 2-11-cv-00425, Rose v. Actavis Totowa, LLC et al.. Counsel for the parties are **ORDERED** to meet and confer and propose to the court a recommended scheduling order which will apply to these three cases by **no later than July 29, 2011**. The proposed scheduling order should expedite the case specific discovery deadlines given that general liability discovery in the MDL has concluded.

The court **DIRECTS** the Clerk to file a copy of this order in 2:08-md-1968 and it shall apply to each member Digitek-related case previously transferred to, removed to, or filed in the is district, which includes counsel in all member cases up to and including civil action number 2:11-cv-00425. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be

provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsd.uscourts.gov.

ENTER: July 18, 2011



Joseph R. Goodwin
Joseph R. Goodwin, Chief Judge